In the High Court of Punjab and Haryana at Chandigarh

C.W.P.No.17636 of 2007
Date of decision: December 4, 2007

Surinderpal Kaur and others

---Petitioners

Vs.

State of Punjab and another.

---Respondents

Coram: **HON'BLE MR. JUSTICE M.M.KUMAR**
HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr.J.K.Sibal, Sr. Advocate with
Mr. Sapan Dhir, Advocate,
for the petitioners.

Mr.Amol Rattan Singh, Addl.A.G.Punjab.

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M.M.KUMAR J.

This order shall dispose of Civil writ petition Nos.17211, 17213, 17582,17800, 18041, 17688, 17671 and 17636 of 2007. Facts have been referred from C.W.P. No. 17636 of 2007.

Mr. J.K.Sibal, learned Senior counsel for the petitioners submits that this Court in CWP No. 1926 of 1997 titled as Usha Rani and others V. State of Punjab and others, decided on May 19, 2007 had passed the following order-

We have heard the learned counsel for the parties who are before us today.

We find that in view of the very nature of the facts and the record and the questions raised in this bunch of petitioners and also arising out of the report of Sh. R.L.Kalsia, Director, Social Security Women and Child Development Punjab, Chandigarh, which has been submitted before us in Court it is not possible for us to examine inter se claim of

the parties on account of seriously disputed questions of fact but as this matter has been pending in this court the motion stage since the year 1997, we deem it appropriate that either the State Government itself of through some Committee, should have the issues examined after hearing all those who are likely to be affected and after giving them an opportunity of filing objections against the report and to take a decision on the issues raised within 12 months from today.

Till the Government takes the decision. We direct that the interim orders granted in the present set of writ petitions shall continue to operate. We also permit all the parties in the writ petitions to file a fresh set of objections should they so desire within a period of one month from the date that a certified copy of this order is supplied to them.

The writ petitions are accordingly disposed of.

Copy of the order b e given dasti to the learned counsel for the parties.

Learned counsel submits that in pursuance to the aforementioned orders, a committee was constituted which has submitted its report on 27.2.2007. As per the report, now the petitioners have been issued show cause notices (Annexure P-5). The report of the Committee constituted by the State Government has been supplied to the petitioners, The petitioners have filed objections /representation to the said report of the Committee.

Learned counsel for the petitioners submits that this Court vide

order dated 11.10.2007 passed in C.W.P. No. 17636 of 2007 has directed the respondents to decide the representations, so filed by the petitioners in that case, within two weeks from the date of filing of the same. He further submits that petitioners in the present case have been supplied copy of the report dated 27.2.2007 on 29.10.2007. The petitioners have filed their representation/objections to the said report on 6.11.2007. Learned counsel has emphasised that despite the directions issued by this Court, the respondents instead of deciding the representation/objections have issued relieving order dated 8/12/15/11.2007(P-9).

After hearing learned counsel for the petitioners, we find that this is blatant violation of principles of natural justice and as such orders dated 3.10.2007(P-5) and 8.11.2007(P-9A) are quashed. The respondents are directed to take a decision on the representation/objections dated 6.11.2007 filed by the petitioners by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order.

Petitions stands disposed of in the above terms.

A copy of this order be handed over to learned State counsel to enable him to forward the same to the quarter concerned.

(M.M.KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

DECEMBER 4, 2007
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